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Attorneys for The Huntington Beach Gables Homeowners Association

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION

In re:

JAMIE LYNN GALLIAN,

Debtor.

Case No. 8:21-bk-11710-ES

Chapter 7

**THE HUNTINGTON BEACH GABLES
HOMEOWNERS ASSOCIATION’S
JOINDER TO HOUSER BROS. CO. dba
RANCHO DEL REY MOBILE HOME
ESTATES’ RESPONSE TO DEBTOR’S
MOTION FOR RECONSIDERATION**

Hearing Date: August 18, 2022

Time: 10:30 a.m.

Courtroom: 5A

The Huntington Beach Gables Homeowners Association (“HOA”) hereby files its Joinder to Houser Bros. Co. dba Rancho Del Rey Mobile Home Estates’ (“Houser Bros.”) Response to Debtor’s Motion for Reconsideration (“Motion”) as Docket No. 170 (“Response”).

In addition to the authorities and argumentation set forth in the Response by Houser Bros., it should be clear that in all of the several hundred pages of Debtor’s Motion, Debtor failed to identify or even address why California Corporations Code § 17300 and *Schaefers v. Blizzard Energy, Inc. (In re Schaefers)*, 623 B.R. 777 (B.A.P. 9th Cir. 2020) are not controlling and persuasive on the outcome of this matter. Assuming arguendo that Debtor was ever entitled to a presumption in favor of her homestead exemption claim, which the HOA disputes, it was

1 the Debtor herself who rebutted it when she admitted under penalty of perjury that she
2 “Registered Title with HCD Debtor’s single member LLC, J-Sandcastle Co, LLC.” (Petition,
3 Docket No. 1, at 12.) An LLC member has no interest in LLC property. Cal. Corp. Code §
4 17300. Therefore, Debtor had no interest to exempt. *In re Schaefers*, 623 B.R. at 784.

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6 Dated: August 4, 2022

Respectfully submitted,

7 **GOE FORSYTHE & HODGES, LLP**

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9 By: /s/ Robert P. Goe

Robert P. Goe

Brandon J. Iskander

Attorneys for Huntington Beach Gables
Homeowners Association

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 18101 Von Karman Avenue, Suite 1200, Irvine, CA 92612.

A true and correct copy of the foregoing document entitled (*specify*): **THE HUNTINGTON BEACH GABLES HOMEOWNERS ASSOCIATION'S JOINDER TO HOUSER BROS. CO. dba RANCHO DEL REY MOBILE HOME ESTATES' RESPONSE TO DEBTOR'S MOTION FOR RECONSIDERATION** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) August 4, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Bert Briones** bb@redhilllawgroup.com, helpdesk@redhilllawgroup.com; RedHillLawGroup@jubileebk.net
- **Aaron E DE Leest** adeleest@DanningGill.com, danninggill@gmail.com; adeleest@ecf.inforuptcy.com
- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com
- **Jeffrey I Golden (TR)** lwerner@wglp.com, jig@trustesolutions.net; kadele@wglp.com
- **D Edward Hays** ehays@marshackhays.com, ehays@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **Brandon J Iskander** biskander@goeforlaw.com, kmurphy@goeforlaw.com
- **Eric P Israel** eisrael@DanningGill.com, danninggill@gmail.com; eisrael@ecf.inforuptcy.com
- **Laila Masud** lmasud@marshackhays.com, lmasud@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com
- **Mark A Mellor** mail@mellorlawfirm.com, mellormr79158@notify.bestcase.com
- **Valerie Smith** claims@recoverycorp.com
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL:

On (*date*) August 4, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows: Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Janine Jasso
PO Box 370161
El Paso, CA 79937

Michael D Poole
Feldsott & Lee
23161 Mill Creek Dr Ste 300
Laguna Hills, CA 92653

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL:

(*state the method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) August 4, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows: Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

- The Honorable Erithe A. Smith, USBC, 411 West Fourth Street, Santa Ana, CA 92701
- (SUSPENDED DUE TO COVID-19 PROTOCOLS)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

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August 4, 2022	Susan C. Stein	/s/Susan C. Stein
<i>Date</i>	<i>Printed Name</i>	<i>Signature</i>